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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,301	08/11/2006	Takashi Kanai	F-9146	6062
28107 7590 02/03/2009 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168				
EXAMINER				
LETTMAN, BRYAN MATTHEW				
ART UNIT		PAPER NUMBER		
4117				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/589,301

Applicant(s)

KANAI ET AL.

Examiner

Bryan Lettman

Art Unit

4117

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

The references cited in the PCT Search Report issued on May 1, 2007 have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB08A and 08B form, must be filed within ONE MONTH of the mailing date of this communication. NO EXTENSION OF TIME WILL BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b) to comply with this requirement. Any reference listed on the attached PTO-892 does not need to be resubmitted as they are already of record.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "the fluid dynamic bearing" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: In line 2 and line 26, line 4 and 26 of page 6, and lines 21 and 23 of page 7, reference number 6 is referred to as "the case body," whereas in all other cases it is referred to as "the case." Furthermore, reference 12 is referred to as "the case body" in all cases. References should consistently refer to the same limitation and the name of limitations should be consistent throughout. Appropriate correction is required.

Claim Objections

Claims 1-3 are objected to because of the following informalities: none of the claims have a clearly defined preamble. Each claim should have a preamble following this format: "A blower motor comprising:...". The phrase "featuring to include" is not in proper United States form. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the blower motor" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the case body" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the intake" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the cover" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the one side" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the exhaust" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the peripheral wall" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the fluid dynamic bearing" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the interior or exterior portion" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the impeller" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the rotating member of the motor" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the outer circumferential part of the motor" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the cover plate" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the exhaust" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the upper and lower pressure chamber" in lines 7-8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the upper and lower valve chamber" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent 1-249988 to Osada in view of Japanese Patent 2001-107883 to Okubo.

Referring to claim 1, Osada teaches a blower motor comprising:

a case body (1-3) having an intake (6) formed at the cover which is formed, at least, at the one side and an exhaust (7) formed at the peripheral wall;

a motor with a fluid dynamic bearing, installed in the interior or exterior portion of the case body (1-3) (fig. 1);

an impeller (10) which is fixed to a rotating member of the motor so as to locate at the outer circumferential part of the motor or the above-mentioned interior portion of the case body (1-3) of the motor, having the cover plate (3) which is formed at the either upper surface or lower surface, or the both surfaces, and capable of sucking in air from the intake (6) by rotating and discharging from the exhaust (7) by rotating.

Osada does not teach pressure chambers or valve chambers.

Okubo teaches a blower motor comprising:

an upper (51) and lower (84) pressure chamber which adds pressure so as to press an impeller (8) to a thrust direction, installed between the outer circumferential part of an upper and lower cover plate (4 and 6) of the impeller (8) and the interior portion of a case body which faces the outer circumferential part; and

an upper (82b) and lower (83a) valve chamber which discharges the pressure air in the upper (51) and lower (84) pressure chamber to the exterior portion.

It would be obvious to one of skill in the art, at the time of invention, to modify the blower motor taught by Osada with the blower motor taught by Okubo in order offset impellor thrust, reducing the size of the bearing and reducing cost (see JP 2001-107883).

Referring to claim 2, Osada and Okubo teach the blower motor of claim 1 and Okubo further teaches a blower wherein:

the upper (82b) and lower (83a) valve chamber is installed between the case inner wall surface (5) and the cover plate (82a and 83) of the impeller (8) which are formed inclined plane or curved surface (fig. 4 and 5).

It would be obvious to one of skill in the art, at the time of invention, to modify the blower motor taught by Osada with the blower motor taught by Okubo in order offset impellor thrust, reducing the size of the bearing and reducing cost (see JP 2001-107883).

Referring to claim 3, Osada and Okubo teach the blower motor of claim 1 and Okubo further teaches a blower wherein:

the upper (82b) and lower valve (83a) chamber is installed between the case inner wall surface (5) and the lower (83) cover plate of the impeller which are formed inclined plane or plane and the upper cover plate of the impeller (82a) is formed so as to control the movement to the thrust direction by the empty weight of the impeller.

It would be obvious to one of skill in the art, at the time of invention, to modify the blower motor taught by Osada with the blower motor taught by Okubo in order offset

impellor thrust, reducing the size of the bearing and reducing cost (see JP 2001-107883).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Lettman whose telephone number is (571) 270-7860. The examiner can normally be reached on Monday - Thursday between 9:00 am and 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Naeem Haq can be reached on (571) 272-6758. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. L./
Examiner, Art Unit 4117

/CHARLES A. FOX/
Primary Examiner, Art Unit 3652